

Robert E. Krebs, State Bar No. 57526
Christopher L. Ogden, State Bar No. 235517
Thelen Reid Brown Raysman & Steiner LLP
225 West Santa Clara Street, Suite 1200
San Jose, CA 95113-1723
Tel. 408.292.5800
Fax 408.287.8040

Ronald F. Lopez, State Bar No. 11756
Sushila Chanana, State Bar No. 254100
Thelen Reid Brown Raysman & Steiner LLP
101 Second Street, Suite 1800
San Francisco, CA 94105-3606
Tel. 415.371.1200
Fax. 415.371.1211

ATTORNEYS FOR DEFENDANTS
TECHNOLOGY PROPERTIES LIMITED,
and ALLIACENSE LIMITED

Charles T. Hoge, State Bar No. 110696
Kirby Noonan Lance & Hoge
350 Tenth Avenue, Suite 1300
San Diego, CA 92101
Tel.: (619) 231-8666
Fax: (619) 231-9593

ATTORNEY FOR DEFENDANT
PATRIOT SCIENTIFIC CORPORATION

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

HTC CORPORATION, et al.

Plaintiffs,

vs.

TECHNOLOGY PROPERTIES LIMITED,
et al.

Defendants.

William Sloan Coats, III, State Bar No. 94864
Mark R. Weinstein, State Bar No. 193043
Kyle D. Chen, State Bar No. 239501
White & Case LLP
3000 El Camino Real
5 Palo Alto Square, 9th Fl
Palo Alto, CA 94306
Tel.: 650-213-0300
Fax: 650-213-8158

ATTORNEYS FOR PLAINTIFFS
HTC CORPORATION and HTC AMERICA,
INC.

Case No. 5:08-CV-882 JF

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE**

1 WHEREAS, on February 8, 2008, plaintiffs HTC Corporation and HTC America,
2 Inc. (collectively "HTC" or "Plaintiffs") filed a complaint against defendants Technology
3 Properties Limited ("TPL"), Patriot Scientific Corporation ("Patriot"), and Alliacense Limited
4 (collectively, "Defendants") for declaratory judgment of patent non-infringement and invalidity of
5 U.S. Patent Nos. 5,809,336 ("the '336 patent"); 5,784,584 ("the '584 patent"); 5,440,749 ("the
6 '749 patent"); and 6,598,148 ("the '148 patent");

7 WHEREAS, on April 25, 2008, TPL and Patriot filed complaints for patent
8 infringement against HTC for alleged infringement as to the '336 patent, the '749 patent, and the
9 '148 patent in the Eastern District of Texas, Case No. 2-08-cv-172 (DF) and as to the '584 patent
10 in Case No. 2-08-cv-174 (TJW) (collectively, "Texas Actions");

11 WHEREAS, the Court entered a Related Case Order determining that the present
12 case and the following two cases pending in this district are related to one another: (1) *Acer, Inc.*
13 *et al v. Technology Properties Limited et al* (C 08-00877 JF); and (2) *ASUSTeK Computer Inc. el*
14 *al v. Technology Properties Limited et al* (C 08-00884 EMC) (Docket No. 21) ("Related
15 Matters");

16 WHEREAS, Defendants in each of the Related Matters have filed motions to
17 dismiss or in the alternative to transfer to the Eastern District of Texas, with all such motions
18 currently set for hearing on August 1, 2008 ("Motions to Dismiss");

19 WHEREAS, the parties' Case Management Conference is currently scheduled for
20 May 30, 2008 (Docket No. 22);

21 WHEREAS, Defendants have requested a continuance of the Case Management
22 Conference ("CMC") so that discovery and other related obligations would be deferred until after
23 the Court rules upon Defendants' Motions to Dismiss; and
24

25 WHEREAS Plaintiffs have agreed to a continuance of the CMC, while the
26 Defendants have agreed to an extension of time for HTC to respond to the Texas Actions until
27 August 15, 2008;
28

1 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE, AND
2 RESPECTFULLY REQUEST THAT THE COURT ORDER, AS FOLLOWS:

3 The Case Management Conference currently set for May 30, 2008 shall be
4 continued to a date determined by the Court following the August 1, 2008 hearing on the Motions
5 to Dismiss.

6
7
8
9 Respectfully submitted,

10 Dated: May 21, 2008

THELEN REID BROWN RAYSMAN &
STEINER LLP

11
12 By: /s/ Robert E. Krebs
Robert E. Krebs

13 Attorneys for Defendants TECHNOLOGY
14 PROPERTIES LIMITED, and ALLIACENSE
15 LIMITED

16 Dated: May 21, 2008

KIRBY NOONAN LANCE & HOGE

17 By: /s/ Charles T. Hoge
18 Charles T. Hoge

19 Attorney for Defendant PATRIOT
SCIENTIFIC CORPORATION

20 Dated: May 21, 2008

WHITE & CASE LLP

21
22 By: /s/ Kyle D. Chen
23 Kyle D. Chen

24 Attorneys for Plaintiffs HTC
CORPORATION and HTC AMERICA, INC.

25
26 ///

27 ///

1 PURSUANT TO STIPULATION IT IS SO ORDERED:
2
3

4 Dated: _____
5

6 _____
7 The Honorable Jeremy Fogel
8 United States District Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28